

Artikel

by Ma Msc Dr H Abdul Manan

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ULAMA AND FATWA

(Pros and cons of the Circular Letter of the Aceh Governor and MPU Decree)

Abstark: Penelitian ini membahas dengan kritis tentang pro dan kontra terhadap Surat Edaran Gubernur Aceh dan Keputusan Majelis Permusyawaratan Ulama (MPU) Aceh Nomor 2 Tahun 2020 terkait dengan respon dan penilaian publik terhadap larangan pengajian selain Ahlussunnah Waljama'ah. Penelitian ini merupakan penelitian kualitatif dengan tiga teknik pengumpulan data: observasi yang teliti, wawancara mendalam dan dokumentasi. Hasil penelitian menunjukkan bahwa terdapat pro dan kontra terhadap surat edaran dan keputusan larangan mengadakan pengajian selain dari I'tiqat Ahlussunnah Waljama'ah yang bersumber hukum Mazhab Syafi'i. Diantaranya, menurut Pemerintah Aceh dan MPU sebagai bentuk sikap untuk dapat menghindari kemudharatan yang lebih besar dalam bentuk perpecahan pada masyarakat Aceh akibat dari perbedaan pemahaman dalam persoalan ibadah, sementara lainnya gagal memahami surat edaran dan keputusan MPU karena menganggap lemah dan sangat dipengaruhi oleh aspirasi dan tokoh Islam yang beraliran konservatif di Aceh, yang mungkin dianggap sebagian masyarakat sebagai kegiatan politik dan kekuasaan.

Kata kunci: Fatwa, Gerakan Aswaja, Ulama, Wahhabbi

Abstract: This study critically discusses the pros and cons of the circular letter (*surat edaran*) of the Aceh governor and Ulama Consultative Council (MPU) Decree No. 2 of 2020 related to responses and public evaluation of the prohibition of the religious learning forums (*pengajian*) other than Ahlussunnah Waljama'ah. This research is a qualitative research with three data collection techniques: meticulous observation, in-depth interviews, and documentation. The result of the study showed that there were pros and cons related to the circular letter and decision on the prohibition of conducting *pengajian* that contradicts the I'tiqat of Ahlussunnah Waljama'ah which is based on Syafi'i School of Law. Among them, according to the Aceh government and the MPU, the circular letter is intended to prevent greater abuses in the form of disunity in the Acehnese community due to differences in understanding in matters of worship. Meanwhile, others failed to understand the circular letter and MPU decrees because they consider them weak and were greatly influenced by certain conservative Islamic figures in Aceh, appearing to some people as political activity and power.

Keywords: *Ulama, Fatwa, ASWAJA* Movement, Wahhabi.

Introduction

Various Islamic schools have been developing giving birth to theological and legal groups. Among the most ultra conservative groups is "Wahhabi" which is the official religious doctrine in Saudi Arabia. The movement attempts to purify the interpretation of Islam by returning to its fundamentals: the Qur'an and Sunnah.¹

Many sources ascribe the term "Wahhabi" to Muhammad bin Abdul Wahhab (MbAW) from Nejd who is believed to be the movement's founder. Husayn Ahmad Amin (2006) in Khairil Miswar (2019) said that this movement calls itself Muwahhidun, while the term Wahhabi was introduced by the movement's opponents and was then used by Europeans. Similarly, Philip K. Hitti (1937) in his book, "History of the Arabs", stated that the term is not derived from the movement's followers, but from their enemies. Agreeing to this statement, Abobakar Atjeh in Khairil Miswar (2019) highlighted the pride

shown by the movements's followers of being referred to as "Wahhabi" although the term was deliberately popularized by those who were irritated by the MbAW's mission.

Be it as it may, lately, this movement has been associated with Wahhabi Rustumiyah that had developed earlier in North Africa. Such different ascriptions have shaped various perceptions among Muslims in Aceh, where most people consider the Wahhabi movement as a distorted thought worth rejecting and eradicating.

MbAW's reform was initially motivated by the spread of *ṭarīqat* in the Islamic world, especially in Arabian Peninsula. Witnessing Muslims' extravagant glorification of their shaykhs, he sensed something wrong happening with the tawḥīd of that might lead to shirk (association of *Ḍ* with other deities). Essentially, MbAW's religious thought was greatly influenced by Muhammad Hayyat bin Ibrahim al-Sindi al-Hanafi who stated the importance of the doctrine of *tawḥīd*, rejecting *taqlid* and calling for the need to return to the Qur'an and Sunnah (Azyumardi Azra in Khairil Miswar, 2019). Muhammad Hayyat himself is known as a hadith expert in Haramain.²

Furthermore, Azyumardi Azra explained that despite the doctrinal links between Muhammad Hayyat and MbAW there was no evidence that Muhammad Hayyat had incited MbAW to take radical action. It strongly surmised that Muhammad Hayyat only asked MbAW to read Ibn Taimiyah's books. Perhaps, his reading of Ibn the books was what encouraged him to make radical changes through the Wahhabi movement. The Wahhabi reforms and their rejection of *bid'ah* reopened the space for a critical study of medieval literature. Maarif called Wahhabism a strong reaction to the the moral decline of the people who had been trapped in popular sufism. This movement, according to Maarif, is a reaffirmation of monotheism and human equality before God.³

The development of Wahhabi thinking in Aceh did draw attention for a deeper investigation. Recently rejection of Wahhabi is communicated through, for example, learning forums, religious lectures, social movements, and even by popularizing of 'heresy' label on the alleged Wahhabi followers. For example, in January 2020, a *pengajian* held at Al-Makmur Mosque, Lampriet, Banda Aceh city was disbanded by the masses over accusation of spreading Wahhabism. This action received a great response from various groups in Aceh because those who came not only dispersed the forum, but also accused the residents of the village of Lampriet who joined the forum of having been led astray.⁴

Such an event happened not for the first time in Aceh. In Aceh Besar district, an angry mob attacked Keutapang Mosque as a protest and refusal of a *pengajian* alleged to deviate from the Ahlussunnah Wal Jamaah and spread Wahhabism and "heresy". In the IPAC report entitled The Anti Salafi Campaign in Aceh, theologically, the dispute between traditionalists and modernists in Aceh revolves around their different interpretation of three Islamic concepts: the oneness of God (monotheism), groundless religious innovation (heresy), and indiscriminate imitation of scholars (*taqlid*).⁵

Per IPAC, Salafi movement had existed in Aceh before the 2004 tsunami; the number of its followers escalated since then. A Yemeni-oriented Salafi School which was the main target of the attack was said to be introduced by a Javanese teacher who first came to Aceh in 2001 yet only opened his forum in 2008. A Makassar-based Salafi organization, Wahdah Islamiyah, sent volunteers after the tsunami and finally established its branches there. The increasing presence of post-tsunami Salafis and liberal groups caused fear of the "Wahhabi invasion" among traditionalists.

Furthermore, in the release of the IPAC report, Ahlussunnah Waljama'ah members claimed that they had become the majority in Aceh even before Indonesian

gained independence, whereas Salafism and modernism were of the new streams introduced by outsiders. Competition between traditional and modernist ulama resembles the conflict between ulama *kaum tua*, who in the early twentieth century Sumatra defended traditional rituals and education, and young people who promoted modern madrasahs. What makes the difference in Aceh is the emergence of armed separatist groups that began with Islamic elements but later turned into a more secular ethno-national movement which made the competition bloodier and more complicated.⁶

When their demands were not met, some members of Aceh Dayah Ulama Association (HUDA) decided to try vigilante tactics as practiced by the Islamic Defenders Front (FPI) – a Jakarta-based organization that established a foothold in Aceh after the tsunami – although it was initially rejected as Javanese import. However, when the tsunami struck, hundreds of FPI members came to Aceh to help collect and bury the bodies of many tsunami victims. No wonder FPI gained a good image among the Acehnese and succeeded in establishing the FPI branch of Aceh, spearheaded by two dayah alumni namely Yusuf Qardhawy and Muslim At-Tahiry in 2005.⁷

The leader of the Aceh Ahlussunnah Waljama'ah movement, Tgk. Bulqaini, first met at-Tahiry in early 2008 when FPI was protesting a school for allegedly having pornographic books in its library. Tgk. Bulqaini was asked by the school to negotiate with at-Tahiry to stop the protest, but after meeting FPI, he was interested in it and wanted to recruit at-Tahiry and his members to the Islamic boarding school. At that time, FPI had become a partner of HUDA. FPI then mobilized the mass actions to contain the growth of Salafism in Aceh.

For the dayah-associated ulama, the Aswaja actions – e.g., Aswaja parade in 2015 in Banda Aceh – was to ensure the way people perform their worship, that is, to make it conform to Shafi'i school. Another intention was to see how the Acehnese would respond if they were called for religious matters. Stated another way, in the Ahlussunnah Waljama'ah parade was aimed to measure the Acehnese loyalty. It seems that these ulama believe in the compliance the Acehnese will show should they are instructed to move. A statement widely echoed that “these people are like sleeping tigers, one day we will do it to wake them up to drive out Wahhabis and Shiites ... Our long-term plan is to build a new foundation for the scholars, but we are still waiting for the permission from Hasanoel Basri (Abu MUDI Mesra) ... God willing. If everything goes well, it will get good results. Only we, who are at the MUDI Mesra Intimate Network, are able to do this kind of thing. If we start, the other dayahs will also follow”.⁸

When the Muslims in Aceh were worthy of His Lord, unrest in the mosque just happened. If the well-known Shaykh Abdurrauf (Syiah Kuala) was still alive, surely, he would cry and even sob at the act of a handful of his “grandchildren” who were lost in shame. “*Meunyoé Jum’at ukeu hana perubaban, siap untuk tumpah darah*” (if next Friday there is no change, ready to shed blood), so is the “solemn sentence” spoken by a “cleric figure” in the “House of God”. That is an aesthetic appeal “high-fidelity” that has unconsciously torn apart ethical norms. Occasionally takbir sentences were also “sold” in order to attract the sympathy of the soldiers, really touching.⁹

Moreover, there are also many other cases that occurred in Aceh in the form of social movements such as the driving out of Salafi worshipers who wanted to perform Friday prayer at Pulo Raya Pidie in 2014;¹⁰ the siege of the As-Sunnah Islamic Boarding School by the masses in Lampeuneurut, Aceh Besar regency on August 20th, 2015;¹¹ a ban on the construction of the Muhammadiyah Mosque in Bireuen regency in 2016;¹² the

struggle over the al-Izzah Krueng Mane Mosque;¹³ and the attack on an institution suspected to have Wahhabi roots in Aceh Besar district.¹⁴

As a result of some of the cases mentioned above, people become confused about the claims of 'heresy' made by some groups in Aceh. Likewise, according to some academicians in Aceh, it has become one of the warmest conversations, especially regarding 'heretical' claims and even wondering what the main indicators of Wahhabi understanding in Aceh are. So, as if the implementation of Islamic sharia laws in Aceh has become corrupted, the result is that a group of people can easily give a "heretical" label and act violently to the Muslim place of worship.

Methodology

This study uses a qualitative method with a descriptive model to investigate the role of the MPU on the phenomenon of the anti-Wahhabi movement in Aceh, especially in the city of Banda Aceh. In addition, researchers also used phenomenological methods that are not limited to things that are empirical (sensual), but also include perceptions, thoughts, wishes, beliefs and beliefs about something outside the subject; there is something transcendent besides being *oposterioric*. The research ⁶ conducted in Banda Aceh and Aceh Besar districts for a period of 6 (six months). The data collection techniques used are observation, in-depth interviews, and documentation studies, and data analysis techniques in 4 (four) ways, namely: 1) data reduction, organizing, interpreting data and verifying to check whether the conclusions drawn are correct or not and whether they have reached the research objectives and targets of the research conducted, and drawing conclusions.

Result and Discussion

The Role of MPU in Issuing Anti Wahhabi in Aceh

Based on the results of research, long before the MPU conducted studies involving various intellectuals on heresy in Aceh, it had in 2007 issued the Fatwa¹⁵ No. 4 2007 concerning guidelines for ¹² identification of heretical flows. This is regarded as a form of implementation of Qanun No. 11. 2002 concerning the implementation of Islamic sharia in the field of *aqeedah*, worship and *syi'ar* Islam, Chapter III Article 6, concerning forms of misunderstanding and/or heresy that are stipulated by the MPU.

The MPU has a very important role in protecting the Muslims in Aceh, especially regarding *aqeedah* from being corrupted. Thus, it has provided guidelines to identify heretical flows. The MPU has also issued the Fatwa No. 4 of 2011 concerning the *aqeedah* Ahlussunnah Waljama'ah criteria to respond to the social dynamics of the Acehnese who claim to be Ahlussunnah Waljama'ah.

Regarding the anti-Wahhabi phenomenon in Aceh, the MPU has played an active role by conducting studies and issuing various edicts. The issuing of the *fatwa* is essentially a response to religious phenomena that occur in Acehnese society, like the MPU Fatwa No. 9 of 2014 concerning the understanding, thinking, practicing, and broadcasting of Islam in Aceh. The *fatwa* should not be one-sided, but based on various in-depth studies involving intellectuals and scholars in Aceh.

Likewise, to reject Salafi-Wahhabi teachings in Aceh, Ahlussunnah Waljama'ah parade involving thousands of *santri* and *dayah* scholars on Thursday, September 9, 2015 raised several demands from the Aceh government as followings:

1. to regulate the procedures for the implementation of worship in accordance with

- 8 the Shafi'i school of thought;
2. to appoint the position of High Priest and *Imam Rawatib* and all matters relating to worship and religious forum at the Baiturrahman Grand Mosque in Banda Aceh to *ulama* of the Shafi'i school;
3. to mandate the management of the Baiturrahman Banda Aceh Grand Mosque under the control of the Wali Nanggroe Aceh;
4. to hold *Muzakarah Ulama* regarding the procedure of worship at Banda Aceh Baiturrahman Grand Mosque which should be controlled by the MPU and not to let any parties other than the MPU control the mosque;
5. to revoke operational permits and not to grant permits for the establishment of schools and Islamic institutions that do not conform with the Shafi'i Schools and Ahlussunnah's *aqeedah* (Ash'ariah and Matuduriyah);
6. to stop all activities of the Salafi-Wahhabi, Shia, Communist and heretical groups throughout Aceh;
7. to ensure that all activities in public spaces and religious activities have permission from the MPU;
8. to discharge the head of Aceh Apparatus Work Unit (SKPA) and the chairperson of the Board who do not comply with Ahlussunnah Waljama'ah;
9. to accelerate the realization of the Helsinki MoU and the Law on the Governing of Aceh (LoGA);
10. to implement the Qanun No.8 of 2012 concerning Wali Nanggroe;
11. not to intervene in the MPU and the MPU must realize the *fatwa*;
12. to carry out the Jinayat Qanun and the Jinayat Program Qanun as soon as possible; and
13. if these demands are not heeded and carried out, we will come with a greater mass.¹⁶

As an institution with authority to conduct various studies on various religious phenomena and problems in Aceh, the Aceh MPU has responded to demands raised in the Ahlussunnah Waljama'ah parade, especially rejecting Wahhabi teachings, by carrying out the 2015 Aceh Ulama Muzakarah on October 26th, 2015 in Aceh Besar district.¹⁷ Excesses of the Aswaja parade on religious matters brought about the decision of the Religious Muzakarah in the form of an official decree of the MPU No. 24 of 2015. The decree overtly regulates ways of worship in Aceh.¹⁸ As a follow-up, the second Aceh Ulama Muzakarah was held on November 21st, 2016, which led to the issuing of the official decree of the MPU No. 9 of 2016 concerning the strengthening of Islamic sharia enforcement institutions.¹⁹

Furthermore, as an effort to prevent, and resolve the development of heretical flows in Aceh, the MPU held a coordination meeting by inviting all ulama and Acehnese intellectual figures on September 18-19, 2017; it brought about an official decision of the MPU No. 11 of 2017 concerning efforts to prevent heresy flow.²⁰ The MPU also held the IV plenary session of 2017 on 21- 23 November 2017 in order to solicit various opinions and suggestions to avoid polemics and religious conflicts among the people of Aceh, particularly with regard to *aqeedah*; the session resulted in the Fatwa No. 4 of 2017, concerning the books of divine monotheism (*tawheed*) in Aceh.²¹ This indicates that the MPU, as an institution, has a high authority regarding religious issues in Aceh, and has undertaken concrete steps to resolve issues on Wahhabi in Aceh.

After the Ahlussunnah Waljama'ah parade in Aceh, emerged an idea of uniformity of schools in Aceh, and all mosques in Aceh. The idea arose mainly from the dayah scholars, particularly those in the Himpunan Ulama Dayah (HUDA), sparking arguments from non-dayah intellectuals, especially the higher education academicians. For many, the HUDA is the last referral institution in religious matters in Aceh. The MPU is hoped to be able to cope with all religious problems by involving all experts so that all *fatwa* and decisions issued become strong. Wahhabi's problem is widely perceived in Aceh as a school that labels the practice of *'ibadah* of *ulama* dayah with *khurāfat* and *bid'ah*. For this reason, the MPU is expected to clearly review and mention the indicators to avoid the people's confusion.

According to Faisal Ali (one of MPU members), the MPU has so far really reviewed the religious issues, including Wahhabi's problem. It always coordinates with the government and other related parties regarding all problems that occur in Aceh. The MPU held coordination meetings to obtain suggestions and input to formulate policies. Then, through its branches in 23 regencies in Aceh, the MPU socialize decrees and *fatwa* to the Acehnese community.

Likewise, the acting governor of Aceh, Nova Iriansyah, as the provincial head has also taken decisive steps for uniting schools of thought in Aceh. The decision was certainly taken responding to Wahhabi-related phenomena after considering various opinions and ideas from intellectuals, and *ulama* in Aceh who are members of the MPU. This also aims to keep the stable religious atmosphere in worship and to contain the spread of schools of thought other than Ahlussunnah Waljama'ah. This being so, the steps taken by Nova Iriansyah with the circular letter on the prohibition of conducting religious forums of non-Aswaja groups is highly laudable. For this circular letter shows the government's firm attitude towards religious problems and strengthens the Islamic sharia along with Islamic values and the religious culture.¹¹

Furthermore, the circular letter conforms to the Law No. 4 of 1999 concerning the implementation of the Aceh privileges, Law No. 11 of 2006 concerning Aceh government, Law No. 2 of 2009 concerning the MPU, Law No. 8 of 2014 concerning principles of Islamic sharia,¹² Law No. 8 of 2015, concerning fostering and protection of *aqeedah*, and Law No. 1 of 2019 concerning Aceh's medium term development plan from 2017 to 2022. The acting governor also explicitly asked the MPU to issue a *fatwa* on different religious understandings among the Acehnese that come together with the "heretical" labelling on certain groups.

Concrete steps taken by the government through the circular letter are exceedingly appreciated, especially by dayah scholars. Teungku Muhammad Amin Dauh or Ayah Cot Trueng – the administrator of Aceh Tastafi (Tawheed, Tasawuf and Fiqh) forum – said that the circular letter agrees with Ahlussunnah Waljama'ah¹³ and the Shafi'i School, and has been in accordance with the main basis, namely the Aceh Qanun No. 8 of 2014 concerning principles of Islamic sharia which promulgates the Shafi'i school as the chief school in Aceh. Thus, to prevent disunity among Muslims, all kinds of religious forums and rituals in Aceh have to conform to the Shafi'i school.²²

Teungku Razuan (politician from dayah group) appreciated the steps of the acting governor of Aceh as he issued the circular and believed that the government intends to let harmony in worship prevail in society. This is so due the fact that so far non-Ahlussunnah Waljama'ah *pengajian*, like those of Wahhabi, have sparked religious conflicts in Aceh. Whereas based on historical notes, Ahlussunnah Waljama'ah (Ashariyah and

Matudiriyah) with the ²Shafi'i school has long been practiced by the Acehnese people.²³

The MPU as the highest institution in deciding all decisions and *fatwa* regarding religious issues in Aceh and in assessing the steps of the government through circular letter. Considering the seriousness of the government in unifying the faith of the people, the MPU also strengthened the circular letter in MPU Decree No. 2 of 2020, concerning Circular Letter of the Governor No.450/21770, concerning prohibition of conducting *pengajian* in addition to I'tiqat Ahlussunnah Waljama'ah with Syafi'i School sources.

The decision of the MPU is also to prevent unwelcomed schools of thought that potentially harm the creed of the society, including Wahhabi. Because, in the history of Islam in Aceh the *aqeedah* that developed since the time of Sultan Iskandar Muda was I'tiqat Ahlussunnah Waljama'ah which was formulated by Abi Hasan al-Asy'ary and Abu Mansur al-Maturidi; the *fiqh* conformed to the Syafi'i School; and the sufism followed the teaching of al-Ghazali. Therefore, every religious study in Aceh must refer to the books of Muktabarah based on the teachings, and qaidah formulated by the scholars of Ahlussunnah Waljama'ah.

Since we adhere to AhluSunnah Waljamaah by referring to Ash'ariyah and Maturidiyah, we see that Wahhabi's theology has deviated from the faith of Ahlussunnah Waljama'ah. One of the deviations is that Wahhabi adheres to Mujassimah because it did not preach the Mutashihatbihat verses. Wahhâbi also believes that the Prophet's parents were infidels; this is distorted. Their dividing tawhîd into three has no basis. Their Imam is Ibn Taimiyah whose teaching was later developed by MbAW ... as long as they pray, hajj, fasting etc, we must not label them as unbelievers.²⁴ Therefore, the MPU asked the government to immediately stop their spread that is not in accordance with AhluSunnah Waljamaah.

According to Khairil Miswar, on the one hand it is true and after reading various forms of the *fatwa* and the decree of the MPU and the policies adopted by the government that in principle it is acceptable to completely quell heretical streams and understandings in Aceh. However, the MPU must explain clearly and in detail what it meant by Aqidah Ahlussunnah Waljama'ah. Only then will the people in Aceh really understand and not take the wrong acts. Such an explanation is very important because followers of heretical sects can also claim adherence to Ahlussunnah Waljama'ah. It seems that many of the Acehnese nowadays do not understand what Ahlussunnah Waljama'ah is. Hence, hardly can they recognize the followers of heretical sects while they themselves do not really understand the I'tiqad Ahlussunnah Waljama'ah.

Likewise, Usman argues that coercive measure is highly needed for misacts would happen if there were no clear attitude. The MPU must clearly categorize Wahhabi and its 'heretical' indicators, from historical, theological perspective, to strong arguments. This is in fact in corresponds to a *fatwa* of the MPU on the characteristics of heresy that “*Mengakfirkan sesama Muslim tanpa dalil syar’i yang sah, seperti mengakfirkan Muslim hanya karena bukan merupakan anggota kelompoknya.*” (Declaring fellow Muslims of apostasy without a valid *syar’i* proposition is like excommunicating a Muslim just because he is not a member of a certain group). Specific guidelines about Wahhabi are highly expected for the sake of clarity withing the society. Otherwise, it would have been easy to label one as Wahhabi or as member of 'heretical' group had guidelines from institutions like the MPU and the Shariah Court which are not yet been established.

While in Islam it is known that “accusing someone of being heretical, while his error has not been proven, is tantamount to claim his disbelief”. The same vein, a hadith

narrated by Bukhari-Muslim: "Whoever calls someone an infidel, or calls him an enemy of Allah, while he is not an infidel, the accusation will rebound to him." Al-Yasa'Abubakar said that there is no group in Islam that has the right to monopolize the truth, to blame all other opinions. A little difference in terms of worship should not become the basis for accusing others of 'heresy'. If there are some who accuse some so easily of 'heresy' just because of a slight difference in practice, then he has monopolized the truth and considers that he is only the most righteous person while others are not.

In addition, Muhammad said that the MPU was expected to be able to clearly categorize Wahhabi in the Islamic world as well as complete formulate criteria and propositions. Likewise, Ikbal said in an interview that the circular letter and the MPU decree had caused confusion among the people in Aceh, because in the Aceh Qanun No. 8 of 2014, it was very clearly explained that the implementation of sharia by other Schools in Aceh besides the Shafi'i School is allowed. Therefore, it is better for policy makers in Aceh to review the circular letter, as well as the MPU to read and reexamine the contents of the Aceh Qanun No. 8 of 2014. Therefore, it is expected that the MPU as the highest institution in issuing decisions on various religious issues in Aceh to broader its scope of study, not only limited in just one School, but should cover various Schools and Islamic organizations under the banner of Ahlusunnah Waljamaah.²⁵

Responding to Ikbal's opinion, Taqwaddin as a legal expert in Aceh underlined improperness of the Circular Letter of the Aceh Governor No. 450/21770 and Fatwa Ulama No. 2 of 2020, concerning prohibition of holding learning forums that does not agree with I'tiqad Ahlusunnah Waljama'ah. He said further that it is very bad and should be revoked since it suggests an indicator of intolerance. Moreover, if scrutinized juridically, the contents of the provisions in the governor's circular letter contradicts the contents of Aceh Qanun No. 8 of 2014, concerning Islamic Sharia in Aceh. It seems to rule out a greater legal provision: Qanun. Moreover, in the hierarchy of the applicable laws and regulations, no lower legal position (e.g. circular letter) may contradict with higher legal rule (e.g. Qanun).²⁶

Similarly, Nasrul Zaman considered the circular letter has violated the contents of the Aceh Qanun No. 8 of 2014, concerning Islamic Sharia in Aceh. The reason is Qanun No. 8 of 2014 Article 14 paragraphs 3, 4 and 2. In paragraph 3 it is stipulated that it is permitted to implement Shari'a through other Schools other than Shafi'i School; and the implementation of worship which is not based on the Shafi'i Schools is permitted as long as it is still within the teachings of the Hanafi, the Maliki and Hambali schools, and should by always maintain harmony, *ukhuwah islamiyah* and tranquility among Muslims. Likewise, paragraph 4 states that in the case that there is community groups in Aceh who have practiced the Hanafi School of thought, Hambali and Maliki cannot be forced to practice the Shafi'i School. Paragraph 5 emphasizes this liberty in which it says that community groups practicing worship following the understanding of religious organizations which is in accordance with Al-Quran and Hadith and is recognized as valid by the state are still protected.²⁷

Furthermore, Nasrul Zaman explained that there had been inconsistencies between several contents in the governor's circular letter itself, including: "Point 2 states that the Circular letter is one of the Aceh Medium-Term Development Plan (RPJM) missions to strengthen the implementation of Islamic Sharia along with Islamic values and religious culture in people's lives with the Ahlusunnah Waljama'ah i'tiqad which originates from the Shafi'i School while respecting other School." But, in point 3 it is stated that the

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development of I'tiqad/School of thought other than Ahlussunnah Waljama'ah besides the Syafi'i School is clear, if it is examined in depth the substance of this letter is not consistent between the first point and the next point, one point explains the respect for the school of thought. But at the next point there is a prohibition on other schools other than the Syafi'i School. Therefore, the circular letter is not appropriate, and seems to be in a hurry in making policy, without any in-depth academic study, especially if it is examined in depth, it is very contrary to existing regulations, governors like them yes forced by certain groups in Aceh for certain interests that can split the Acehnese community.

Tgk.Umar Rafsan Jani said that the circular letter of the Aceh governor on December 13, 2019 mainly addresses the "imported" thought, that is, Wahhabi which had caused problems in the Aceh society.²⁸ Teungku Mustafa Husein Woyla believed that the circular was reflects the people's unrest over the development of Wahhabi in Aceh. Therefore, all community leaders including the Ombudsman, and Muhammadiyah cadres in Aceh have to be wiser in responding to the issue of the Aceh Governor's Circular Letter No. 450/21770 and the Aceh MPU Decree No. 2 of 2020 concerning prohibition of learning forums which do not correspond to I'tiqad Ahlussunnah Waljama'ah. Because, the government of Aceh and *Ulama* aims to solve aqeedah-related problems of the Acehnese people who have been, for centuries, practicing a certain school of thought and can barely accept new understandings they consider heretical'.²⁹

Such a rejection of Wahhabi happened not for the first time in Aceh. Rather, Acehnese scholars long time ago warned of the danger of this understanding. For instance, Abu Muhamamd Ali Teupin Raya, aiming to save the Acehnese Mulims' faith, wrote about the heresy of the Salafi group (Wahhabi) in a book entitled *Ad-Da'watul Wahhabiya*. In the book he noted that the beginning of the Wahhabi preaching was dated to the time of MbAW, born in 1111 H. It began in Uyainah, the Najd region in the Arabian Peninsula. MbAW died in 120 H at the age of 95. His brother, Shaykh Sulaiman bin Abdul Wahab, was a Qadi in Uyainah during the leadership of Abdullah bin Muhammad bin Ahmad. His father was so pious that it was unthinkable to have a son who was ignorant and misguided Muslims. Indeed, Wahhabi cannot be arbitrarily taken as an essentially heretical sect, yet it must be strictly interrogated in order to mislead Muslims.³⁰

Fachrul Razi hopes that the people of Aceh can respect the attitude of *ulama* and *umara* in Aceh, especially the circular letter of the Aceh governor and the decree of the Aceh MPU because all policies are issued for the benefit of the Acehnese people. Moreover, throughout the history of Aceh, the Islamic faith has firmly applied the Ahlussunnah Waljama'ah which originated from the Syafii School through the Qanun Meukuta Alam Alsyi by Sultan Iskandar Muda. For this reason, one part of progress in Aceh, the Ahlussunnah Waljama'ah creed must be applied.³¹

Responding to these troubling issues, Jamaluddin Thaib studied the contents of Qanun No. 8 of 2014, especially in article 14, from points 3-10. He found that the governor's circular letter does not conflict with the contents of Qanun No. 8 of 2014. First, in Article 14 point 3 it is explained that "the organization of worship that does not refer to the procedures of the Shafi'i School is permissible as long as within the framework of the Hanafi, Maliki and Hambali schools by always promoting harmony, *ukhuwwah islamiyyah* and peace in the community". In this context, the stressing point is to promote harmony, *ukhuwwah islamiyyah* and peace among the people²; the spreading shoos of thought should not target followers who have practiced the Shafi'i school (in Aceh

there is almost no practice other than the Shafi'i School of thought); and not to spread the new teachings out in public to shun unrest. Likewise, with Qanun No 8, Article 14 Point 4, that "if a community group in Aceh has practiced the Maliki, Hambali and Hanafi schools it should not be forced to practice the Shafi'i school". If we pay attention that this point also applies the same way that if the community has practiced any sect other than Shafi'i it should not be forced to follow the Shafi'i practices.³²

Secondly, in point 7 Article 14 of the same qanun, it says "if there is a *khilafiah* (dispute) in the organization of worship, a muzakarah and a comprehensive study will be conducted by the Aceh MPU involving relevant institutions". Point 10 then says "MPU Aceh is obliged to oversee worships that deviate from sharia rules which has the potential to cause unrest and conflict in society". In line with that, point 4 of the governor's circular letter asks SKPA members and Regents/Mayors to consult with the MPU for supervision and control on every learning forums suspected to cause unrest and disunity within the community. Third, it is acceptable that in order to maintain intra-religious harmony and avoid any heated dissension between communities the government works to minimize the potentials for greater conflict and even bloodshed in the future.³³

The Aceh government, per Jamaluddin, did nothing wrong since it intended to unite and maintain harmony between the Muslims in Aceh. Accordingly, the Aceh MPU functions as an institution that supports government regulations. In the same vein, Teungku Muhammad Dahlan said that both the governor's circular letter and the MPU's decree on the prohibition of religious learning forums which do not adhere to the I'tiqad Ahlussunnah Waljama'ah and the Syafi'iyah school is very much needed because they regulate life in society, nation, and state.³⁴

In this regard, some of the intellectuals of higher education in Aceh expected that there would be a comprehensive study on Wahhabi in the Islamic world conducted by the Aceh MPU to equate perceptions in order to shun misinterpretation. As some previous cases that have occurred against the Fatwa of MPU No. 9 of 2014 concerning Understanding, Thinking, and Broadcasting of Islamic Religion in Aceh, which sparked protests and rebuttal in various scientific dimensions. As one of the clarifications made by the Salafi group itself in its white book with "Scientific Explanation of Fatwa MPU Aceh No. 9 of 2014 concerning understanding, thinking, and broadcasting of Islam in Aceh". Also, the academic community underlines the irregularities and unscientificness of the *fatwa*. Therefore, there is an assumption that the Aceh MPU is deemed to be inconsistent and needs to review all the *fatwa*'s and decrees it has issues.

Besides, the MPU is also said to have shown a hasty attitude in issuing a *fatwa*. For the commoners, the MPU *fatwa* is so sacred and cannot be disputed, thus bringing up the wrong paradigm towards certain groups. That is why it is not impossible that the MPU *fatwa* might cause conflict in the community.

The Aceh MPU *fatwa* seemed rather unscientific and was at odds with the *fatwa* issued by the North Jakarta MUI on Salafi. In the *fatwa* issued on April 8, 2009, the North Jakarta MUI confirmed that Salafis do have any of the 10 'heretical' criteria set by the Central MUI. According to the North Jakarta MUI, the preaching of the Salafi is an invitation to purify Islamic teachings by returning to the *Qur'an* and *Sunnah* through understanding of the Prophet's companions. In fact, the Salafi community is not only in Aceh, but exists throughout the world, especially in Saudi Arabia. So, it seems unexpected when the Aceh MPU declared Salafi as a heretical sect, while other Nusantara Scholars did not think so. Uniquely, the more authoritative MUI has never issued any *fatwa* against

the Salafi community. Finally, it is hoped that the Aceh MPU can be more mature in addressing the problems of the people. The fanaticism of a certain school should become an excuse for the MPU to negate the diversity that has long been embedded in society. All decisions made by the Aceh MPU must have a strong legal basis, so that the MPU *fatwa* does not turn into a *fatwa pujangga* (the poet's advices) and is powerless, and make people lose their trust.

From the description above it can also be inferred that it is not that easy to accuse a person or a group of infidelity or heresy. Clear evidences are highly required before accusation because wrong ways of responding might provoke wrong actions, thus disuniting Muslims. For this reason, as "the heirs of the Prophet", the ulama are supposed to serve as the mediator when the condition in society is unstable. They should not involve in any religious conflicts since there are those who would like to spread false information with heresy issues. Rather, they are expected to sustain unity of the *ummah* and peace among Muslims. This is in accordance with a Quranic verse, Sura Al-Hujarat: 10: "The believers are brothers to one another, therefore, make reconciliation between your brothers and fear Allah, so that you may be shown mercy."³⁵

The Quranic verse above urges every Muslims to reconcile their brothers in the event of a dispute between them. It is not permissible to allow the potentials for conflict and division to arise amid the *ummah* without any effort of prevention. This means that a good believer must be neutral and must not be fanatic towards another group since without a neutral stance to resolve any disputes occurring between Muslims would be very hard.

The MPU's role regarding the Anti-Wahhabi phenomenon in Aceh is highly needed as figures that calm down the angry people and maintain Aceh's dignity. This corresponds to the statement of Mursalin Basyah in Suara Khatib Baiturrahman who said that the specialty of Islamic teachings is the demand on its adherents to cherish the unity and brotherhood of fellow Muslims. This is in line with the Quranic verse, surah Al-Hujarat: 13: "O mankind! We created you from a single pair of a male and a female, and made you into nations and tribes that you might get to know one another. Surely the noblest of you in the sight of Allah is he who is the most righteous. Allah is All-Knowledgeable, All-Aware".³⁶ This verse confirms that the lives of people of different nationalities, tribes and races are at the will of Allah, with intention to let them get to know one another, understand, and offer helps. Human are created to serve as *khalifah* that sustain a prosperous and peaceful life on the earth.

The MPU is responsible when making decisions and *fatwa* to base on in-depth studies and reliable sources to achieve peace and harmony in religion. Imam Shafi'i alone needed a long time to study Fiqh-related problems, so it is reasonable for him to have mastered various kinds of "*Fiqh*" namely Al-Hijaz *Fiqh*, Iraqi *Fiqh*, Yemeni *Fiqh*, Al-Syam *Fiqh* and Egyptian *Fiqh*. Thus, he was very familiar with the type of Fiqh which emphasized its legal basis to al-Naql and with the type that prioritize *al-Aql*. Also, in determining all decisions the *ulama* should fully understand all the issues of dispute, so as not to take wrong steps in their judgement. For that reason, Aceh as an area that implements Islamic Sharia, the role of the ulama through the highest institution, the Ulama Consultative Assembly (MPU), is highly demanded to study various Islamic laws.

In the Shafi'i Tafsir it is told that Imam Shafi'i who is an expert on Islamic law after knowing there are two different fiqh features, he studied both so that then he knows on what they are based. He studied arguments which are strong and which are not; or which ones are based on liberal rationales and which ones are based on rigid traditional

propositions. The idea of promoting the two fiqhs was introduced and it was done in various halaqas with the aim of understanding the clear historical differences between one fiqh and another.

Therefore, behaviors that potentially trigger dispute and disunity among Muslim are strictly prohibited because they will weaken Muslims. Being different is a blessing, hence the importance to respect all forms of difference by not forcing the adherence to only one single belief or school of thought. In histories it is evident that problems will occur if differences are not well addressed. Conflicts, disputes, and battles between religions, tribes, and ethnicities and even between Muslims themselves will just end in bloodshed. This would be a dangerous for Muslims, hampering progress, and devastating what has been established properly.

Through the Aceh governor's circular letter and the Aceh MPU's *fatwa*, a step is taken to address differences in the Acehnese society, in the context of unity of the people and solving religious problems in Aceh. At first the difference arises due to the different patterns and ways of thinking born from reasoning to the issue of khilafiah in the organization of worship. This is also the same as explained in the book of Tafsir al-Tahrir wa-al Tanwir Ibn Assyria, the differences that occur between Muslims due to human way of thinking that was born from human reason itself (aqal basyariah).

Also, through this difference, the *ulama* were the heirs of the prophet (*warasatul anbiya*). Therefore, quoting the words of Syukri Muhammad Yusuf in Suara Khatib Baiturrahman, the duties and responsibilities of the *ulama* were like those of the Prophets, not only delivering speeches on the podium, being preachers in electronic media or traditional media, and struggling with the study of the classic books of of khalaf and salaf scholars. Rather, they have to examine various problems of mankind, including political matters.

However, it should be underlined that in the Aceh MPU has played a role in giving extra attention to internal issues between Muslims in Aceh. The existence of pros and cons among the people is certainly caused by other factors like hoaxes that are attacking the MPU. And as an Islamic community in Aceh, we must give trust to the MPU as the highest institution that has the authority to decide all matters of religion, not because it cannot be criticized. The MPU as a religious institution in Aceh can surely be criticized to free it from political interests.

Referring to the Aceh Qanun No. 2 of 2009 concerning the Ulama Consultative Assembly which gave the task of giving *fatwa* both requested and unsolicited on issues of government, development, community development, and the economy. Critically, in terms of its duties and functions, the MPU has carried out its duties and roles as mandated in Aceh Qanun No. 2 of 2009, in the form of *fatwa*'s and decisions to settle cases regarding problems in Aceh. Including the MPU as a partner the government has provided various directions and opinions related to internal harmony in Aceh which concerns differences of opinion on religious matters.

Regarding the criticism of the MPU institution in Aceh, this is certainly not the first time, but there have also been conflicts since a long time ago. Especially during the New Order era, as expressed by Jajat Burhanuddin in his *Islamic Knowledge, Authority and Political Power: The ulama in colonial Indonesia* said that the Indonesian Ulama Council (MUI) or in Aceh now called the Ulema Consultative Assembly (MPU) was sponsored by government to facilitate two-way communication between government interests and Muslim communities. This can be seen from the *fatwa* and the decision issued. During the

New Order era's development, the council was very strong under the influence of the government supporting the New Order era, and could be said to an "agent" translating government policies into languages understood by Muslims or incorporating Islamic contexts. That is also the case when the reform occurred, it became either agent of the government, or servant of the people. But nowadays, MUI *fatwa* often fail to be accepted by all Indonesian Muslims, due to its support for conservative Islamic figures. This is also the case with the MPU, where most of the *fatwa*'s and decisions currently fail to be accepted by all people in Aceh. The possibility could be greatly influenced by the aspirations and conservative Islamic figures in Aceh, which might be considered by some people as political and power activities.

Conclusion

The Wahhabi in the perspective of the Aceh MPU is deemed as a sect that deviates from the true teachings of Islam. This is because the Wahhabi often contests the practice of *ibadah* which has become a tradition in religious activities in Aceh, like bidding and giving deference. This has led to the rejection issued by the MPU which has played important roles including performing studies involving intellectuals in Aceh on various religious issues in Aceh. Its authority is also to issue *fatwa* and decrees and reinforce to the circular letter of the Aceh governor on the prohibition of holding religious learning forums that contradicts the Ahlussunnah Waljama'ah which originates from the Syafi'i School of Law. This stance is taken by the MPU to avoid greater misunderstanding and disunity in the Acehnese which might happen because of differences in understanding matters of worship.

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